

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for **2011**

Date filed: **February 25, 2011**

Name of company covered by this certification: **Akabis, Inc.**

Form 499 Filer ID: **827558**

Name of signatory: **Michael R. Nash**

Title of signatory: **President**

I, **Michael R. Nash**, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules (Attachment A).

The company has not taken any actions against data brokers in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed           /s/ Michael R. Nash

## **Akabis Customer Proprietary Network Information Certification Attachment A**

Akabis has established practices and procedures adequate to ensure compliance with Section 222 of the Communications Act of 1934, as amended, (“section 222”) and the Federal Communications Commission’s (“FCC”) rules pertaining to customer proprietary network information (“CPNI”) set forth in sections 64.2001 – 64.2011 of the Commission’s rules. This attachment summarizes those practices and procedures, which have been updated so that they are adequate to ensure compliance with the Commission’s CPNI rules.

Akabis provides IP-based telephone services to its subscribers. Akabis’s customer contracts establish the procedures pursuant to which customers may obtain access to their private information. It is Akabis’s policy not to disclose CPNI except as specifically set out in its contracts with its customers and where required by law.

### **Safeguarding against pretexting**

- Akabis takes reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI, including the authentication of customers prior to disclosing CPNI based on customer-initiated contacts. Akabis is committed to notifying the FCC of any novel or new methods of pretexting it discovers and of any actions it takes against pretexters and data brokers.

### **Training and discipline**

- Akabis has a disciplinary process in place for violation of its CPNI practices and procedures. Akabis employees are required to review and abide by Akabis’ code of conduct, which prohibits all employees from using customer information other than for providing service to the customer or as required to be disclosed by law.

### **Akabis’ Use of CPNI**

- Akabis uses CPNI for the following purposes:
  - (1) To initiate, render, maintain, repair, bill and collect for services
  - (2) To protect its property rights; or to protect its subscribers or other carriers from fraudulent, abusive, or the unlawful use of, or subscription to, such services;
  - (3) For network maintenance; and
  - (4) As required by law.
- Akabis does not distribute CPNI to third parties for their sales or marketing purposes, nor does Akabis share, sell, lease or otherwise provide CPNI to any of its affiliates, suppliers, vendors, or any other third party for the purpose of marketing any service.
- Akabis does not share, sell, lease or otherwise provide CPNI to any third party except pursuant to appropriate non-disclosure agreements. Akabis will not otherwise disclose CPNI to a third party except when required by a lawfully issued government subpoena.

### **Additional safeguards**

- Akabis does not use CPNI for marketing purposes and therefore does not have records to

maintain regarding marketing campaigns that use its customers' CPNI.

- Akabis has established a supervisory review process designed to ensure compliance with the FCC's CPNI rules.
- Akabis designates one or more officers, as an agent or agents of the Akabis, to sign and file a CPNI compliance certificate on an annual basis. The certificate conforms to the requirements set forth in FCC rule 64.2009(e).
- It is Akabis's policy not to disclose call detail information over the phone.
- Akabis has established online access for customers, with access being controlled through Account Number, UserID and Password required to access information. This is provided to user at activation. A customer may request his UserID or password, but this information will only be mailed to the customer's address of record obtained when the customer account was established.
- In the event of a breach of CPNI, Akabis will comply with all applicable breach notification laws.

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